

MINUTES OF THE CITY COUNCIL MEETING HELD JUNE 7, 2005, AT 7:30 P.M., IN THE
COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER

MEMBERS PRESENT: Mayor Kelvyn Cullimore, Councilman Don Antczak, Councilman Scott Bracken, Councilman Bruce Jones, Councilman Gordon Thomas

STAFF PRESENT: City Manager Liane Stillman, City Attorney Shane Topham, City Treasurer Gary Harmer, Director of Finance David Muir, Community Development Director Kevin Smith, City Recorder Linda Dunlavy

OTHERS PRESENT: Don Machen, Ron Fullmer, Fern Baird, Brian Allen, Mike Peterson, Corbett Ford, Robby Russo

1.0 WELCOME/PLEDGE

1.1 Mayor Cullimore opened the meeting at 7:00 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Councilman Antczak.

2.0 PUBLIC COMMENTS

2.1 Don Machen, 8096 Mountain Oaks Drive, stated he previously addressed the Council in regards to surplus money. He questioned why the incorporation was not set for a different date so that there would not be a six month lag time in receiving tax revenues.

Mayor Cullimore explained that there would be a six month gap regardless of when the City incorporated.

Don Machen commended the City Council again on their quest to retrieve from the county tax dollars paid by Cottonwood Heights residents into the Municipal Services Fund.

2.2 Jason Hall, Oaks at Wasatch, expressed support for short term rentals. He said that he purchased properties at the Oaks that were built, marketed and sold as investment properties for ski rentals and is concerned that other residents in opposition to short-term rentals have been to the City with their concerns. He supports having legal, short-term rentals allowed in Cottonwood Heights.

Councilman Jones said that he has been told that the CCRs of the Oaks project specifically prohibit short-term rentals. He asked Mr. Hall if he read the CCRs prior to purchasing the property.

Mr. Hall said he did not read the CCRs, but was told that it had been a licensed rental for seven years and later found out it had not been licensed.

Councilman Jones said he is sympathetic to both sides of this issue, but the CCRs preclude short-term rentals. He said that it appears there is a dispute between property owners that they want the City to solve.

Mr. Hall said that they are in the process of changing the CCRs.

- 2.3 Fern Baird, discussed the possibility of 'upzoning' the Despain property. She said that development in that area will cause major problems on Wasatch Blvd. Kevin Smith will look at that issue.

Ms. Baird suggested that a Neighborhood Watch sign and a sign showing the speed of each car be placed on Ponderosa Drive to help with the speeding in that area.

Ms. Baird would like to see the City have a recycling center and suggested that there be a field trip to Park City to look at their facility.

Mayor Cullimore explained that the County does offer the recycling program to the residents. He suggested that if there is an interest in a local recycling program, interested volunteers could gather data on such an undertaking and bring it back to the Council for discussion.

- 2.4 Wayne Carlson, owner of Utah Escapes, a rental company, said that he is licensed and pays taxes to the County for lodging. He said that he wants to continue his business in a legal manner. He believes that the Oaks at Wasatch will change the CCRs, but expressed concern that they will run into another roadblock with the City.

Mayor Cullimore said the City is currently in the process of adopting a general plan and is looking at where short-term rentals will be allowed. He explained that there is not a bias against short-term rentals but there is a concern that they be regulated. One of the biggest complaints the City gets is that the renters are disrespectful of the property owners by partying and blocking the public right of way. The City wants to make sure those issues are addressed.

- 2.5 Don Machen, 8096 Mountain Oaks Drive, said that the Oaks at Wasatch has been there for over 20 years and is not zoned for short term rental, there is no parking and no room for emergency vehicles.

- 2.6 Fern Baird stated that she has information on short term rentals she will provide to Kevin Smith.

3.0 **REPORTS/PRESENTATIONS**

3.1 **City Manager Report**

- 3.1.1 City Manager Liane Stillman reported that the peak flooding time is over and a letter has been prepared thanking Salt Lake County for the preparation of the creeks during the rain and snowmelt times.
- 3.1.2 Ms. Stillman said the City is five weeks from adopting a very comprehensive General Plan, the Land Use Ordinances and Zoning Map. The plan and maps are currently available on the City website and the Planning Commission and Council are beginning the public input meetings.
- 3.1.3 The Valley Journal publication includes an additional half page to explain to the citizens, the taxation issues the City is discussing with the County. The next issue of the Journal will emphasize the upcoming Butlerville Days event.

- 3.1.4 Mayor Cullimore said that a joint meeting of the Council and the Jordan School District Board of Education was held earlier to discuss several issues including the disposition of the elementary schools that have been closed.

3.2 **Butlerville Days**

- 3.2.1 Ron Fullmer, Butlerville Days Chair, updated the Council on the upcoming July 24th event and presented the logo that will be used.

4.0 **Budgetary Matters**

4.1 **Ordinance No. 20 Amending Policies for Procurement of Services and Supplies**

- 4.1.1 **MOTION:** Councilman Jones moved to approve Ordinance No. 20 amending policies for procurement of services and supplies, increasing the amount prior to requiring a bid from \$10,000 to \$20,000. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.2 **Resolution No. 2005-43 tentatively approving an amended compensation schedule for elective and statutory officers**

- 4.2.1 City Attorney Shane Topham explained that when the City was organized, the officers proposed a compensation plan that would be needed to attract employees. Over the past six months the compensation plan has been refined and this Resolution amends the compensation plan.

- 4.2.2 **MOTION:** Councilman Antczak moved to approve Resolution No. 2005-43. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote.

4.3 **Resolution No. 2005-44 tentatively adopting an amended budget for the period of January 15, 2005 through June 30, 2005; and adopting a tentative budget for the period of July 1, 2005 through June 30, 2006.**

- 4.3.1 City Treasurer Gary Harmer stated that copies of the budgets have been made available to the public. The amended budget for the period of time from January 15, 2005 through June 30, 2005 is \$3.3 million; and the tentative FY05-06 budget is proposed at \$8.6 million.

- 4.3.2 **MOTION:** Councilman Jones moved to approve Resolution No. 2005-44 tentatively adopting an amended budget for the period of January 15, 2005 through June 30, 2005; and adopting a tentative budget for the period of July 1, 2005 through June 30, 2006. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.0 **PLANNING/PUBLIC WORKS MATTERS**

5.1 **Resolution No. 2005-45 approving entry into an Interlocal Cooperation Agreement with Salt Lake County for UPDES Copermit**

5.1.1 City Attorney Shane Topham explained that the Environmental Protection Agency has a final rule which sets forth the National Pollutant Discharge Elimination System Permit Application Rules and Regulations for storm water discharges into municipal storm sewer systems. The State of Utah is given authority by federal law to grant discharge permits within the State pursuant to the Pollutant Discharge Elimination System. Salt Lake County is a permittee of that system and is entitled to enter into copermit arrangements with other municipal systems.

5.1.2 **MOTION:** Councilman Thomas moved to approve the Interlocal Cooperation Agreement with Salt Lake County for UPDES Copermit. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.2 **Approval of J-U-B Engineers as Consultant for the Transportation Capital Facilities Plan**

5.2.1 Community Development Director Kevin Smith recommended that J-U-B Engineers be approved as consultant for the transportation capital facilities plan. The work on the Transportation plan will be submitted to the City within a three month period. Mayor Cullimore inquired if the other two bidders had been given an opportunity to submit revised bids. Kevin Smith responded that they had and it was staff's recommendation that we select JUB.

5.2.2 **MOTION:** Councilman Antczak moved to approve J-U-B Engineers as consultant for the Transportation Capital Facilities Plan. The motion was seconded by Councilman Bracken and passed unanimously on a voice vote.

6.0 **OTHER MATTERS**

6.1 **Ordinance No. 21 amending Title 14 (Highways, Sidewalks and Public Places) of Cottonwood Heights Code of Ordinances to include Chapter 14.60, Park and Playground Use Regulations**

6.1.1 This item was postponed to the June 14th business meeting

6.2 **Resolution No. 2005-46 approving the withdrawal of Cottonwood Heights from the Salt Lake County Fire District**

6.2.1 Councilman Thomas moved to approve Resolution NO. 2005-46 approving the withdrawal of Cottonwood Heights from the Salt Lake County Fire District. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

6.3 **Resolution No. 2005-47 approving entry into a Software License and Services Agreement with Verite for Website Development**

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- 6.3.1 Councilman Bracken moved to approve Resolution No. 2005-47 approving entry into a Software License and Services Agreement with Verite for website development. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

7.0 **Consent Calendar**

- 7.1 The minutes were approved as amended.

8.0 **Calendar of Upcoming Events**

- 8.1 Mayor Cullimore reviewed the upcoming events.

9.0 **Adjournment**

- 9.1 The Council adjourned to the work session at 8:42 p.m.

Approved: 06-14-2005

Kelvyn Cullimore, Jr., Mayor

Don Antczak, Councilman

Scott Bracken, Councilman

Bruce Jones, Councilman

Gordon Thomas, Councilman